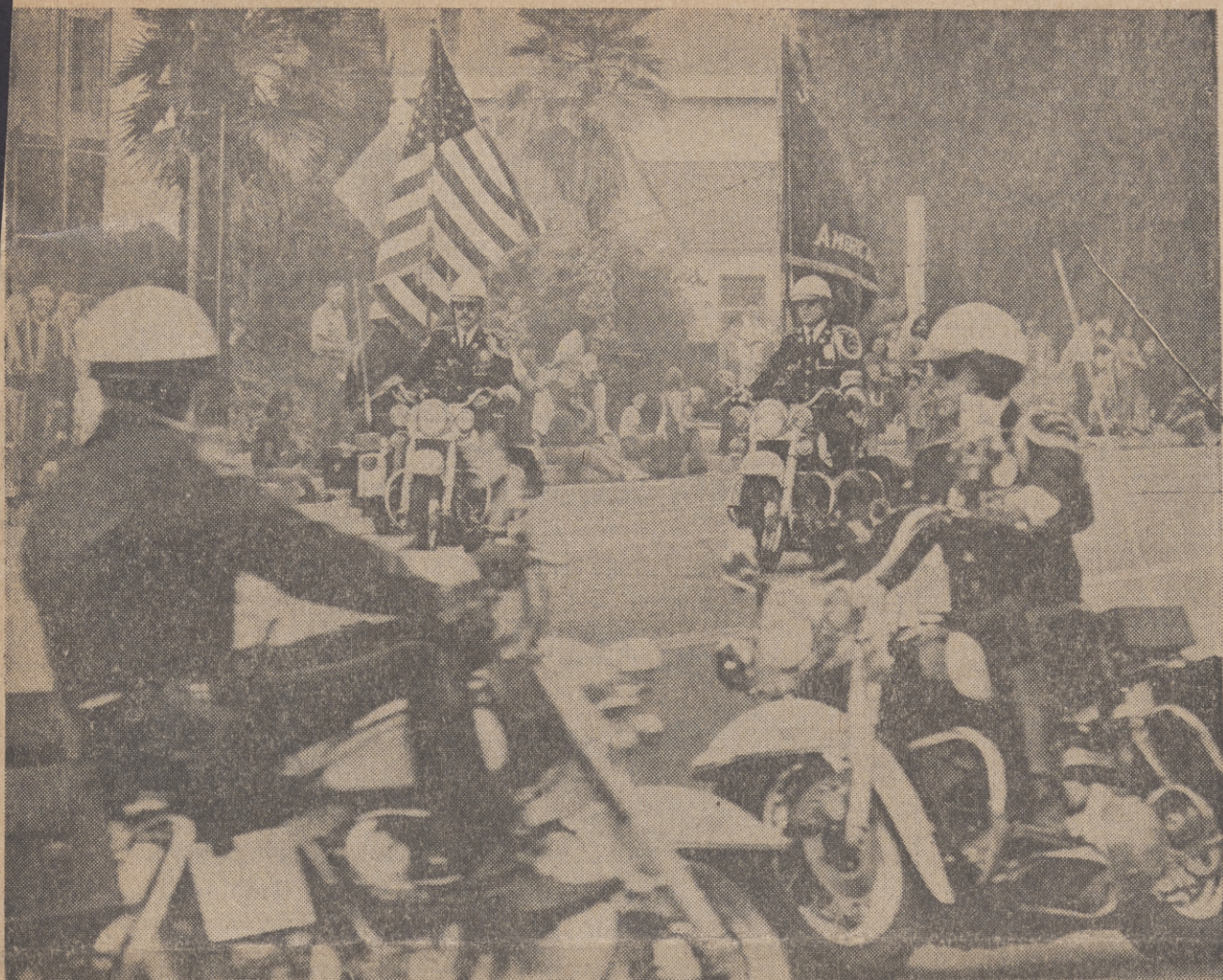




**DISPLAY OF SKILL**—Members of the Los Angeles Police Department motorcycle drill team perform

maneuvers in Veterans Day parade in Van Nuys. The parade was sponsored by Optimists Clubs. Times photo by Rick Meyor

# Los Angeles Times

CC PART II  
TUESDAY, OCTOBER 23, 1973

## Planned Mineral King Resort Appears Doomed

Long Legal Battle, Other Factors Weigh Against Proposed Disney Development

BY PHILIP FRADKIN  
Times Environment Writer

The proposal to build a major winter and summer resort in Mineral King Valley by Walt Disney Productions seems to be all but dead.

As pieced together by The Times from various sources, there are three factors against developing the valley:

—The issue will be tied up in court for years.

—New governmental approvals are needed to proceed and in a time of increased environmental awareness, they may not be forthcoming. There may not be authority under present laws to issue the necessary approvals.

—The Disney firm hopes to select a site elsewhere within the next year for a major recreational resort, although it will maintain a continuing "interest" in Mineral King.

Disney's planned resort in the remote High Sierra valley east of Visalia in Tulare County has been one of the longest-standing major conservation controversies in the nation.

It was about 10 years ago that the U.S. Forest Service geared up to issue bids for a ski resort in the mountain valley. Disney was awarded the bid in 1965. If all had gone according to schedule, there would have been skiing there this winter.

Instead, the Sierra Club, a national conservation organization, opposed the project and filed suit to block it in 1969. The suit has gone all the way to the U.S. Supreme Court and is now back at the federal district court in San Francisco.

Besides all the legal issues—some with importance reaching far beyond Mineral King—the controversy has centered around the use of remote public lands in spectacular settings.

The question is whether such an area should be for the relative few who are willing to make the effort to

get there on the present narrow dirt road or for the many who would gain access through development.

Most likely, the question will never be resolved as the Mineral King issue drags on through the years. Court rulings so far have been on narrow legal points.

If an educated guess had to be made based on existing facts, it would be that the valley will never be part of surrounding Sequoia National Park, as conservationists would like to assure permanent protection from development, nor will it be a major resort, as planned by Disney.

Probably it will remain what it is—an enclave of Sequoia National Forest that is designated a national wildlife refuge and is used heavily by hikers and campers in summer. Last year, about 280,000 persons visited the valley or passed through on their way into the back country.

The Sierra Club is leisurely preparing for a trial next year on its suit challenging the right of the Forest Service to issue a permit to Disney for the project.

"We are proceeding at a moderate speed as there does not appear to be a rush on this. After all, they are not going to come out tomorrow with a permit for this DEVELOPMENT," said John D. Hoffman, Sierra Club attorney handling the case.

Russell J. Mays, attorney for the Forest Service, said, "Delay is the name of their game. It is to their permit for this development," cloud over this project."

The Sierra Club is challenging the granting of a permit for more than 80 acres, an issue that could affect ski and resort areas elsewhere on National Forest lands, and is attempting to establish its right to sue

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## Probe of Palisades Land Swap With Oil Firm to Open

BY ERWIN BAKER  
Times City Bureau Chief

A probe of the city's controversial 1969 Pacific Palisades land swap deal—expected to become the most comprehensive committee investigation in City Council history—will get under way today.

C. Stephen Howard, a private attorney in the unusual role of chief counsel to the Governmental Efficiency Committee, said he will ask the committee today to seek subpoena powers from the council.

He also will submit a proposed set of procedures for the inquiry into the deal involving the city, the state and Occidental Petroleum Corp., he said.

A committee source said formal hearings are tentatively scheduled to begin Nov. 2 or 5, and may be held several days a week for more than a month.

The hearings stem from a motion by Councilman Joel Wachs, approved by the council last May 8, asking the committee to examine "serious allegations" by an Assembly committee about the "conduct of certain city officials, city departments and their procedures" in the land swap.

The complicated transaction between the city, state and the oil firm resulted in Occidental obtaining a two-acre parcel from the city as a drill site along Pacific Coast Highway.

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**ALPINE TERRAIN**—Air view of wintertime scene in Mineral King, 55 miles east of Visalia.



## RESORT

Continued from First Page

in environmental cases. The issues of a right-of-way through Sequoia National Park, an environmental impact statement and the national game refuge have also been raised.

In April, 1972, the U.S. Supreme Court ruled against the 140,000-member Sierra Club on a narrow interpretation of its right to sue but practically invited the organization to amend its complaint, which it did.

Both sides state they will carry the case all the way to the Supreme Court again and the estimates are that it will take four or five more years to hear it fully. Then there might be grounds for further suits.

Michael J. McCloskey, executive director of the Sierra Club, said, "We have been to the Supreme Court once and we are willing to go there as many times as it takes. We intend to pursue this to the day that Congress decides to put Mineral King in the national park."

A bill has been before Congress since 1966 attempting to include the valley in Sequoia National Park but there have never been any hearings. This session there are four principal bills pending in the House. They have failed so far to move through the legislative process.

A recent poll of Sierra Club members placed the issue of saving Mineral King at the top of the list over such other conservation struggles as the Alaskan oil pipeline, timber cutting and energy matters.

Similarly, Forest Service officials say they do not intend to change their position. "Mineral King is still a valid project by Disney," said attorney Mays.

Since the bid was awarded to Disney eight years ago, legislation has been enacted requiring environmental impact statements.

The Forest Service is working on the federal impact statement, which is not expected to be completed before next spring. The major portion of the statement will be devoted to the crucial matter of access.

A report by a consulting firm to the Forest Service has outlined the pros and cons of an all-weather road, cog railroad, busway and aerial tramway.

Disney officials say they are opposed to a busway and tram system and most thinking now is centered on a combination of improving the existing road and building a cog railroad into the valley.

There is also a legal question whether the secretary of interior can grant a right-of-way for such a cog railroad.

Last year, the Legislature deleted a portion of the road from Three Rivers to Mineral King from the state highway system on environmental grounds.

Most likely, the Legislature will again be confronted with a Mineral King issue because the county will need a bill passed putting it in the cog railroad business, according to County Counsel Calvin E. Baldwin. Other approvals may be needed from the Legislature which could be less receptive to the project than it was in the mid-1960s.

Within the last year, Disney officials have been looking for another all-year resort area, preferably somewhere between the West Coast and Rocky Mountains, but the search has gone as far as Maine.

Robert Hicks, Disney's project manager for Mineral King, who has been involved in the search for a new area, said, "We hope to find it within the next year."

"Mineral King is not the only area in the world. We have had countless other offers," Hicks said. He and James L. Stewart, a Disney administrative assistant, stressed that the firm would retain its interest in Mineral King while going ahead with the new project.

The Disney firm has invested about \$750,000 in Mineral King through the years, including the purchase of 28 acres in the valley.

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